

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

AMERICAN VIDEO GRAPHICS, L.P.,	§	
	§	
Plaintiff,	§	CIVIL ACTION
	§	
vs.	§	6:04cv398 LED
	§	
ELECTRONIC ARTS, et al.,	§	JURY TRIAL
	§	
Defendants.	§	

STIPULATION OF DISMISSAL

Plaintiff American Video Graphics, L.P. (“AVG”) and Defendant Atari, Inc. (“Atari”), hereby inform the Court that they have reached an agreement on a settlement of all claims brought in this case. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, AVG and Atari stipulate and agree that all claims brought by and against each other be dismissed, with each party bearing its own costs and attorneys’ fees.

DATED: October 20, 2005

Respectfully submitted,

McKOOL SMITH, P.C.

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(by Sam Baxter with permission)

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by U.S. mail, on this the 20th day of October 2005.

_____/s/ Sam Baxter
Sam Baxter